

JEFFERSON COUNTY COMMISSIONERS
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TOM LYTHGOE, CHAIR

KEN WEBER

DAVE KIRSCH

**PROCEEDING OF THE BOARD OF COMMISSIONERS
COUNTY OF JEFFERSON, STATE OF MONTANA
January 20, 2009**

Present: Commissioners Lythgoe, Weber and Kirsch; Mike Hoffman and Harold Stepper, County Planners; Tara Mastel, JLDC; Gerry & Marty Keogh, Karen Davidson, Brud Smith, Dave Leitheiser, Lori Young, Terri Sologub

REPORTS

Commissioner Lythgoe noted the receipt of the December cash report from the Treasurer's office.

CALENDAR REVIEW

- 1/21 testify at legislature - 8:00
 Elkhorn Mine Citizen Advisory Group - 10:00
 North-end business roundtable - Jackson Creek Saloon - noon
- 1/22 Meeting with Pam Haxby-Cote - 11:00
 Headwaters - Butte - 3:00
 RMDC - Helena - 3:30
 Health Board - 6:30
- 1/23 Meeting with Steve Sieglan - 8:30
- 1/26 South Campus water/sewer discussion - 9:00
 Center for Mental Health - Great Falls - 10:30

COMMISSION REPORTS

COORDINATION MEETING

Commissioner Weber reported that the Commission met with Bruce Ramsey, Terry Sexton and Earl Stewart of the Beaverhead-Deerlodge National Forest to discuss coordination. He believes that a MOU will be developed and entered into. One thing that was discussed and they were receptive to is that rather than them sending us a document at the end of the planning process, the County would be involved from the beginning of the process. He is very happy with the meeting that we had with them and are looking forward to the meeting with the BLM. Commissioner

Weber said that the Commission is also planning to send these letters to state agencies also. MDT has been very good with bringing the county onboard before they even start the planning process and hope to get the other agencies onboard also.

JLDC

Commissioner Kirsch reported that he attended the JLDC meeting in Whitehall on the 14th.

ASH GROVE CITIZENS ADVISORY GROUP

Commissioner Lythgoe reported that he attended the Ash Grove citizen's advisory group on Friday. They discussed the permitting that is required through DEQ and EPA. They also discussed their expansion plan, which appears that they may hold off for a while. Not a matter of "if", but "when".

CORRESPONDENCE

FEDERAL STIMULUS FUNDS

Commissioner Lythgoe read an e-mail from Lloyd Rue regarding the potential for federal stimulus funds and the need for a full-size baseball field in Montana City. He would like some of the federal monies, and asked the Commission's help. Commissioner Kirsch said that it is too late. Commissioner Lythgoe said that it may not be too late, but there are other concerns. Commissioner Weber said that this is not on our property and there were access issues when they tried to get this done in the past. The Commission submitted a list to Headwaters of projects that are "shovel ready", that is able to start construction in six months. Commissioner Lythgoe asked that a letter be prepared outlining the criteria that a project be shovel-ready. This project doesn't appear to be.

SUBDIVISION REVIEW

REQUEST FOR 2ND EXTENSION OF PRELIMINARY PLAT APPROVAL – J BAR T MEADOWS MINOR SUBDIVISION

Mike Hoffman, County Planner, presented his staff report for the request for 2nd extension on this 5-lot subdivision outside of Whitehall. The parcel contains 18.73 acres and is proposed to be split into five parcels ranging in size from 1.91 to 2.22 acres. The developer's representative has requested a 2nd extension of preliminary plat approval. The original extension will expire January 30th, 2009. Commissioner Lythgoe said that this is the second time that the Commission has looked at this; it seems like the lot sizes on the plat need to be corrected. Mike stated that this is correct.

Commissioner Weber moved to grant a second time extension to the J Bar T minor subdivision. Commissioner Lythgoe seconded. The motion carried.

ITEMS FOR COMMISSIONERS ACTION OR REVIEW

DISCUSS GROWTH POLICY

Harold Stepper, County Planner, stated that he has gotten the revised subdivision regulations back from Great West Engineering. A sub-committee comprised of Ed Hall, Joanne Samson and Lori Young has been formed to review the draft. The goal with both the Growth Policy and Subdivision Regulations is to have them completed by the end of the legislature, because there is a large amount of legislation regarding subdivision this session. The Growth Policy subcommittee is comprised of Karen Davison, Joanne Samson, and Bob Eide.

Commissioner Weber stated that at the last Library Board meeting it was stated that they would like to have some language in the growth policy regarding libraries. He said that he would work on this, and asked if Harold is aware of any other growth policies that have language regarding libraries. They want to do this to become better able to obtain grants. Harold said that they may be chartering new waters, because he can't think of any policies that have this language.

Commissioner Lythgoe stated that the only reason that he put this on the agenda is that one concern he has is that we always seem to be waiting for the legislature to get done before anything is finalized, but this has been going on for years. He wants to move forward and stop waiting. If new regulations are passed they will be incorporated, but we need to have something in place. He asked Harold what he sees as the plan of attack regarding public input meetings in regards to the Growth policy and Subdivision Regulations. In the past, they held meetings throughout the county. What he would like to see from the Planning Department and planning board is some sort of a schedule of how they see this playing out. Harold said that the biggest thing that they can look at now is getting what they have ready for public meetings and see what comes out of the legislature.

Harold said that one thing that needs significant change is fire regulations. Commissioner Lythgoe said that Matt is working on this. A draft document has been submitted to MACo and they have marked it up and sent it back. This needs to be further revised. This is a bit of a slow period for subdivisions and he would like Harold and Mike to concentrate on these two documents.

Commissioner Lythgoe asked if they plan to have any public meetings on what the Commission has at this time, or wait to see what the legislature does. Harold said that they want to wait until after legislation, incorporate the new material and then have the public meetings. Commissioner Weber said that Tammy Johnson has been tracking documents of different bills that are coming through. He asked if they should add subdivision issues. Harold said that it would be helpful. Commissioner Lythgoe asked about a realistic date after the legislature adjourns to have this completed. Harold said that he is hoping to have this done this summer.

Mike Hoffman asked if it would be possible to get the subdivision regulations in electronic form. Harold said that he will contact Great West for this.

REPORT FROM ROAD SUPERVISOR AS TO DISPOSITION OF WATER TANK OFF OF COLONIAL DRIVE IN PRONGHORN HILLS SUBDIVISION

Commissioner Lythgoe said that the Commission got a letter from Joe Carter at the road meeting that morning regarding the water tank. Joe has done quite a bit of research into this, but he still

has work to do on this. It is not our tank, the Montana City Fire Department doesn't claim it, and it still has water in it. Joe will at least get the fill spout cut off this week to take care of that liability.

Harold asked if the Commission has any idea who is the president of the homeowner's association. He and Joe were talking earlier in the day and it is their thinking that the liability would fall back on the homeowner's association, as it would be their tank. Commissioner Lythgoe said that bottom line, the County is in charge of health, safety and welfare. The homeowner's association hasn't stepped up to take responsibility. He said that the issue is that Montana City isn't interested in that site. If they aren't going to use it, no one is. Commissioner Weber said that if we are going to cut the spout off, it makes sense to get the water out first.

APPOINT WHITEHALL PLANNING BOARD MEMBER

Commissioner Weber stated that part of the law regarding planning boards is that the Commission can name a member to the local boards. He spoke with Mary and she is very interested in serving on this planning board.

Commissioner Weber moved to appoint Mary Janacaro Hensleigh to the Whitehall planning board. Commissioner Lythgoe seconded. The motion carried.

DISCUSS AND DECIDE ON RETENTION OF METAL MINES GRANT AND LOAN PROGRAM

Commissioner Lythgoe stated that this was discussed at the previous meeting. His concern is that there is funding available to continue economic development work in the county.

Commissioner Lythgoe stated that he has been here for eight years and that \$750,000 went to \$250,000 pretty quickly. He is just wondering if the grants are an appropriate use of the monies. One of the provisions of the grant funds is that FTEs be created. While the soccer fields, rodeo grounds, the pool, and the skate park have enhanced the Town of Whitehall as a community and have most likely brought some economic development to the community, the FTEs aren't there. He doesn't have a problem with the loan program, as that money is returned.

Commissioner Weber stated that he had a chance to talk to all of the members of the Whitehall Grant Committee. They all expressed the same concern that they want to see the grants continue. He thinks that they all pretty much agreed that they could understand if the funding amount had to go down and several of them thought that it was a pretty good idea if we tightened up the restrictions to make the economic development piece stronger within the language of the grant. They understood the need of both of those things, but they really thought that the grants should continue at some level. Tom Jenkin said that it might be better if the Commission hold off on this decision until after the committee has a chance to get together and discuss this and present their recommendations to the Commission. They do understand the concerns and are willing to have lower funding and to tighten the requirements.

Tara Mastel, JLDC, read two letters in support of the grant and loan program, one from the JLDC and one from CTAC. (On file in the Clerk and Recorder's office)

Commissioner Lythgoe said that he would like to see some revision done to both programs, north

and south. He is particularly concerned about the south end because of the amount of money left. He feels that it is timely to take a look at how best to use those funds. Commissioner Lythgoe also stated the restriction on the north end monies are not same as the south end money. The north end metal mines dollars can be use countywide. However, north end metal mines monies will not be available for the south end grant or loan program. Tom and Tara agreed with this.

Commissioner Weber asked if they could have a month to meet before this is put back on the agenda. Commissioner Lythgoe said that this is entirely appropriate. Commissioner Kirsch will try to get the north end group together to discuss this. Commissioner Lythgoe asked if it would make sense to bring both groups together to discuss this, as the north end group is so new. Commissioner Weber said that it does make sense, and he will work to put something together.

Commissioner Weber moved to adjourn. Commissioner Lythgoe seconded. The motion carried.

MEETING ADJOURNED

ATTEST:

BONNIE RAMEY
CLERK AND RECORDER

TOMAS E. LYTHGOE, CHAIR

KEN WEBER, COMMISSIONER

DAVE KIRSCH, COMMISSIONER

